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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,663	10/23/2003	Pierre Sauvage	500200525-2	5887

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HEWLETT PACKARD COMPANY  
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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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TIEU, BENNY QUOC

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/690,663

Applicant(s)

SAUVAGE ET AL.

Examiner

Benny Q. Tieu

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/23/03
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because Figs 1, 2 and 4 have elements that are not labeled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2614

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Elazar (U.S. Patent No. 6,959,079).

Regarding claim 1, Elazar teaches an apparatus for managing a communications system having a plurality of voice channels and a user terminal (Supervisor workstation 18) for receiving at least one of the voice channels, comprising:

a receiving element for receiving a plurality of the voice channels (reads on call center receives a plurality of telephone calls);

a controller for identifying one of the voice channels to be monitored (Fig. 1, 16);

an event detection element for detecting the presence of a predeterminable event in the identified voice channel (column 3, line 43 to column 4, line 9); and

an alert generator for generating an alert when the predetermined event is detected (column 3, lines 1-4).

Regarding claim 2, Elazar further teaches the apparatus wherein the controller is adapted to identify a voice channel in response to a request from the user terminal (column 4, lines 10-20).

Regarding claim 3, Elazar further teaches the apparatus wherein the predeterminable event is the occurrence of a keyword and wherein the event detection element is adapted to detect a keyword (column 7, lines 1-5).

Regarding claim 4, Elazar further teaches the apparatus wherein the predeterminable event is a silence period (column 7, lines 49-58).

Regarding claim 5, Elazar further teaches the apparatus wherein the controller is adapted for identifying a plurality of voice channels to be monitored and wherein the event detection element is adapted for monitoring each selected voice channel for a different event (column 3, line 43 to column 4, line 9).

Regarding claims 6 and 7, see column 3, lines 1-4.

Regarding claim 8, Elazar further teaches the apparatus wherein the audible alert is transmitted at a time when the audio level of the at least one voice channel received by the user terminal is below a predetermined threshold (column 7, lines 29-37).

Regarding claim 9, Elazar further teaches the apparatus wherein the alert generator is adapted for transmitting a signal to the user terminal to thereby cause the user terminal to generate a local alert (Fig. 3).

Regarding claim 10, Elazar further teaches the apparatus in which the events to be detected are definable by the user of the user terminal (column 6, lines 12-20).

Art Unit: 2614

Regarding claim 11, Elazar further teaches the apparatus comprising a recording element to record a portion of the monitored voice channel around the detected event, and wherein the alert generator is adapted to playing the recorded portion to the user (column 5, lines 1-11).

Regarding claim 12, Elazar further teaches the apparatus comprising an element for automatically establishing a voice channel with a predeterminable destination, and wherein the controller is adapted for selecting that voice channel for monitoring for a predeterminable event (column 6, lines 12-20).

Regarding claims 13-25, the limitations of the claims are rejected for the same reasons as set forth in the rejection of the claims 1-12 above.

Art Unit: 2614

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bales et al. (U.S. Patent No. 5,373,549) teach a multi-level conference management and notification. Kim et al. (U.S. Patent No. 5,889,844) teach a conferencing method for telephone switch system. Pertrushin (U.S. Patent No. 6,275,806) teaches a system, method and article of manufacture for detecting emotion in voice signals by utilizing statistics for voice signal parameters.

5. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7490, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is 571-272-7490. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

Art Unit: 2614

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Benny Q. Tieu  
Primary Examiner  
Art Unit 2614